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October 5, 2004

TO: **NAME:** Mail Stop ISSUE FEE
 FIRM: USPTO – Commissioner for Patents
 LOCATION: Alexandria, VA
 FAX NUMBER: 703-746-4000
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FROM: **NAME:** Susan Finn
 MAIL ADDRESS: Law Department – Intellectual Property Group
 Weyerhaeuser Company - CH 1J27
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MESSAGE:

RE: Application No.: 10/796,944
 Filing Date: 03/09/2004
 Attorney Docket #: 24756B

Attached you will find:

Transmittal Letter 1 Page
Petition to Revive 2 Pages
Part B – Fee(s) Transmittal 1 Page



10/5/04; 5:04PM:WEY. LAW DEPT.

;253 924 3253

2/ 5

MAIL STOP PETITION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Kent Attorney Docket No: 24756B
Application No.: 10/796,944 Group Art Unit: 3727
Filed: 03/09/2004 Examiner: ELKINS, GARY E
Title: STACKABLE CONTAINER WITH STACK-TABS

TRANSMITTAL LETTER AND PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Federal Way, Washington 98063

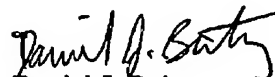
October 5, 2004

TO THE COMMISSIONER FOR PATENTS:

Enclosed, please find a "Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b)", along with "Part B - Fee(s) Transmittal" for the above named patent application. We respectfully request that the late payment of the Issue Fee for this patent be accepted due to the following circumstances:

Due to a clerical error the Issue Fee was not paid by the due date.


Respectfully submitted,
WEYERHAEUSER COMPANY


Daniel J. Beitey
Registration No. 48,626
Direct Dial No. 253-924-3685

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark office at 703-872-9306.

Date:

10/5/04





PTO/SB/64 (11-03)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

24756B

First named inventor: David Kent

Application No.: 10/796,944

Art Unit: 3727

Filed: 03/09/2004

Examiner: Elkins, Gary E

Title: STACKABLE CONTAINER WITH STACK-TABS

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the
expiration date of the period set for reply in the Office notice or action plus an extensions of time
actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1370.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of Part B - FEES Transmittal (Identify type of reply):☐ has been filed previously on _____☒ is enclosed herewith.B. The issue fee of \$ 1670.00.☐ has been paid previously on _____☒ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

10/08/2004 AKELECH2 00000096 10796944

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Oct. 05, 2004
Date

Daniel J. Beitey
Signature

Telephone
Number: 253-924-3685

Daniel J. Beitey - Reg #48,626
Typed or printed name

PO Box 9777

Address

Federal Way, WA 98063-9777

Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

10/5/04
Date

Susan J. Finn
Signature

Susan J. Finn

Type or printed name of person signing certificate